

### REMARKS

Claims 24 – 26, 29 – 33, 35 – 45 and 47 – 73 are pending.

Claims 43 – 45 and 47 – 73 are allowed.

Claims 35 and 37, previously allowed, are rejected.

Claims 35 and 37 are currently amended.

Claims 35 and 37 are rejected on the basis of Kirkpatrick.

Claims 35 and 37 have been amended to distinguish over Kirkpatrick in that Kirkpatrick has a camera which detects a barcode on the window of the vehicle – see Fig. 1. The video camera is only used at the detection end and there is no teaching of embedding the bar code itself prior to detection.

In the present claims the barcode is embedded in a video signal. The claims relate to a system for embedding a barcode into a video signal such that the barcode appears at an identifiable region in the resulting image. Optical detection is then possible to detect the barcode from the scan lines of the video image.

Kirkpatrick does not even hint at the image in the window being a video image. This is because it is not practical or likely that anyone would wish to have an electronic screen in a car window. Even if Kirkpatrick were to swap his window barcode for a video image, which applicant submits he does not hint at, he still fails to teach placing the video signal in a particular location in the video image, contrary to the requirement of the claim.

For the above reason it is submitted that both claims 35 and 37 are allowable over Kirkpatrick.

To deal more specifically with the Examiner's rejections, Examiner relates in section 3 of the Office Action that Kirkpatrick discloses a bar code locator for a video scanner *reader* system. Neither claim 35 nor claim 37 however teach such a locator but rather a locator for locating – meaning placing - a bar code within a *video* image.

The Examiner relates that the reader utilizes a digital scanning camera which digitizes a video signal for detecting and reading. Kirkpatrick may indeed do this but claims 35 and 37 cover digitizing the barcode for *display*, not for reading.

The Examiner continues regarding a controlled access operation. Neither claims 35 nor 37 say anything about controlled access. There is nothing in either claim about verification and certainly nothing in either of these claims about allowing or denying access.

Neither claims 35 nor 37 say anything about focal lengths of scanning lenses.

It is therefore not clear on the basis of which claimed feature the Examiner is rejecting the claims.

Nevertheless both claims 35 and 37 have been amended to specify that detection is of the bar codes *within the scan lines* of the video image. Since Kirkpatrick clearly shows the bar codes as being stickers on car windows and has a barcode location scheme which only makes sense in relation to finding the stickers and bar codes on the car windscreen by the camera it is believed that claims 35 and 37 are now inventively distinguished. That is to say there is nothing in Kirkpatrick about placing the bar code at a region within an image. The stickers are placed on the windscreens by the car owners.

All the issues raised by the Examiner have been dealt with.

Prompt notice of allowance is earnestly and respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, reading "Martin D. Moynihan".

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April 30, 2008